



STATE OF UTAH
DEPARTMENT OF HEALTH

Lowell
File
NORMAN H. BANGERTE, GOVERNOR

SUZANNE DANDY, M.D., M.P.H., EXECUTIVE DIRECTOR

August 23, 1985
533-6146

RECEIVED

AUG 29 1985

DIVISION OF OIL
GAS & MINING

Leon J. Munyan
Resident Manager
Sunshine Mining Company
P. O. Box 250
Eureka, Utah 84628

ACI/049/009
Re: Order to Cease and Desist
and Order for Information

Dear Mr. Munyan:

Transmitted herewith is an order from the Utah Water Pollution Control Committee for your immediate attention.

Sincerely,

Fredrick C. Pehrson, P.E., Chief
Permits and Compliance Section
Bureau of Water Pollution Control

cc: Fred Nelson - Assistant Attorney General
City/County Health Dept. of Utah County
✓ Oil, Gas & Mining
Ken Alkema, Director, Division of Envl Health

SRM:pa
543

August 23, 1985
533-6146

UTAH WATER POLLUTION CONTROL COMMITTEE

In the Matter of
Sunshine Mining Company

Notice of Violation
and
Order to Cease and Desist
and
Order for Information

The failure of the Sunshine Mining Company to obtain a construction permit from the Utah Water Pollution Control Committee for the Trixie Mine tailings pond #4 near Eureka, Utah and the use of the tailings pond by the Company without the Committee's approval are violations of the Utah Wastewater Disposal Regulations, Section 1.2 and Utah Code Annotated 26-11-8. The Company was advised of this regulation in the Utah Water Pollution Committee letter of August 5, 1985 to Leon J. Munyan of Sunshine Mining Company.

Representatives from the Utah Bureau of Water Pollution Control and the City-County Health Department of Utah County inspected the Trixie Mine tailings pond #4 on August 21, 1985. The tailings pond was found to be in use and was found not to be constructed according to the Committee's requirements and regulations as specified in Parts I and III of the Utah Wastewater Disposal Regulations.

Therefore you are hereby ordered to immediately Cease and Desist operation of all unapproved tailings ponds at the Trixie Mine. No further construction of any tailings ponds at this site shall be performed until adequate plans and design information are submitted and written approval is given by the Utah Water Pollution Control Committee. No discharge to the tailings ponds shall occur until the construction is inspected and written approval to use the constructed facilities is given by the Committee.

You are also ordered to submit in writing the following information to this office within 7 days of receiving this notice.

1. Date construction of the dike for tailings pond #4 was started.
2. Date construction of the dike was completed.
3. Date the pond was first used for Trixie mine tailings.
4. All dates the pond was used for mine/mill tailings.
5. Volume of tailings and water discharged to the pond.
6. Analytical description of the quality of water placed in the pond.

This order is issued in accordance with Section 26-11-6(7), 7(7) and 12(1) of the Utah Code. You are advised that failure to comply with this order could result in penalties outlined in Section 26-11-16 including up to a \$10,000 per day penalty for each violation and up

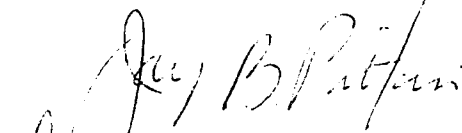
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Sunshine Mining Company

to a \$25,000 per day penalty for willful violations. As outlined in Section 26-11-12, you have a right to appeal this order by making a written application for a hearing before the Utah Water Pollution Control Committee within 30 days of receipt of this order.

If you have questions, please contact this office at the above number.

Sincerely,

UTAH WATER POLLUTION CONTROL COMMITTEE


Calvin K. Sudweeks
Executive Secretary